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Attorneys for Defendants Rimini Street,
 Inc., and Seth Ravin

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ORACLE USA, INC., a Colorado corporation;
ORACLE AMERICA, INC., A Delaware
corporation; and ORACLE INTERNATIONAL
CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;
AND SETH RAVIN, an individual,

Defendants.

Case No. 2:10-cv-0106-LRH-PAL

**STIPULATION REGARDING THE
TESTIMONY AND DEPOSITIONS
OF JIM BENGE, SCOTT HAMPTON,
SETH RAVIN, AND DOUG ZORN**

WHEREAS, expert reports served by Defendants Rimini Street and Seth Ravin (“Rimini Street”) on March 30, 2012 and depositions of two of Rimini Street’s experts, Scott Hampton (on May 25) and Brooks Hilliard (on June 5) showed that Rimini’s experts have relied on analysis supplied by Rimini Street employee Jim Benge concerning how Rimini Street could operate in a non-infringing manner;

WHEREAS Mr. Hampton’s expert report and deposition also indicated that he relied on analysis supplied by Rimini Street employees Doug Zorn and Seth Ravin;

WHEREAS, Mr. Hampton also testified that he relied on analysis provided by Rimini employees Doug Zorn and Seth Ravin concerning how Rimini Street could operate in a non-infringing manner;

WHEREAS, on June 1, Oracle requested that Rimini Street make Mr. Benge, Mr. Zorn, and Mr. Ravin available for additional depositions concerning the opinions they had supplied to Mr. Hilliard and Mr. Hampton;

WHEREAS, Rimini Street responded by letter on June 5, and agreed to make Mr. Benge available for a three-hour deposition to provide testimony solely relating to the information he provided to Rimini’s experts regarding a remote-support-only model;

WHEREAS, in its letter of June 5, Rimini Street also represented that the analysis

provided to Mr. Hampton by Mr. Zorn was “limited to information regarding Rimini’s actual staffing and salary information for certain positions identified by Mr. Benge,” that Mr. Hampton also relied on “factual information” provided by Mr. Ravin and Mr. Zorn concerning whether Rimini had access to an additional \$7.7 million dollars needed to avoid any infringing conduct; and that Mr. Hampton did not rely on any “expert opinions” from Mr. Ravin or Mr. Zorn;

THEREFORE, the parties stipulate and agree as follows:

A. Rimini Street will make Jim Benge available for a three-hour deposition limited to the information, analysis, and/or opinions he has provided to Rimini Street’s experts.

B. Doug Zorn will not testify at trial to the opinions that Mr. Hampton attributed to Mr. Zorn during Mr. Hampton’s deposition, including any opinions or analysis concerning how Rimini would operate in a non-infringing manner. Mr. Zorn may testify to the factual information attributed to him in Rimini Street’s June 5 letter.

C. Scott Hampton will not testify at trial that he relied on Doug Zorn for any opinions concerning how Rimini would operate in a non-infringing manner.

D. Oracle will not seek depositions of Mr. Ravin or Mr. Zorn concerning information they conveyed to Mr. Hampton at this time.

E. In the event that the Mr. Benge’s deposition reveals that other individuals are in fact the source of analysis concerning Rimini Street’s non-infringing business model, Oracle reserves the right to seek additional depositions at that time, including the depositions of Mr. Ravin and Mr. Zorn.

SO STIPULATED AND AGREED.

Dated: June 8, 2012

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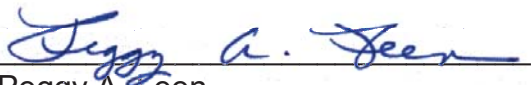
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ATTESTATION OF FILER

The signatories to this document are Robert Reckers and me, and I have obtained Mr. Reckers’s concurrence to file this document on his behalf.

Dated: June 8, 2012	BOIES, SCHILLER & FLEXNER LLP
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IT IS SO ORDERED this 11th day
of June, 2012.


Peggy A. Leen
United States Magistrate Judge